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ART. X.—*Life and Character of Henry Brougham.*

1. *Speech of Henry Brougham, Esq. M. P. on the Present State of the Law.* 1828.
2. *Practical Observations on Popular Education.* By H. BROUGHAM, Esq. M. P. F. R. S. From the Twentieth London Edition. Boston. 1826.
3. *Publications of the Society for the Diffusion of Useful Knowledge.* 1827—1831.

Our present object is, not to speak particularly of the merits of the several publications just enumerated, but to sketch for the entertainment and instruction of our readers, the more prominent incidents in the life of the remarkable individual, who is the author of some of them, and the chief promoter of all. We do not know that we can render a worthier or more acceptable service to the readers of our Journal, than by devoting, from time to time, a portion of its pages to a narrative of the doings of such men. It was well said, that ‘History is Philosophy teaching by example.’ But history seldom condescends to the teaching of individuals; and when she does, she instructs us rather in the arts of war than in the works of peace; noticing briefly and withal somewhat superciliously the noblest designs and labors of philanthropy, and even the most glorious civil triumphs, while she records, with all the blazoning of the most gorgeous description, the achievements of military prowess, or details, with scrupulous minuteness, the intrigues of courts. Thus the examples furnished by history are not adapted to the instruction of common life. They show us man in his robes of state and under the influence of artificial constraint, not in his every day dress, and acting from the genuine promptings of the heart. They exhibit to our view a man not of nature’s making but of art’s making.

Now biography teaches by better examples than these. Her instructions are adapted to peace as well as to war; to man as an individual as well as to man in society. She holds up for our admiration and imitation men who have never seen the tented field. She sits by the philosopher in his closet, and notes the laborious processes of thought by which his mind struggles to reach, and at last does reach, some mighty and all-comprehending principle. And to waken in the hearts of other men a noble emulation, she tells of the inexpressible triumph with which he exclaims *Ευρηκα*. She accompanies

the traveller in his toilsome journeys from land to land, to gather some worthy offering for science, or to add some yet undiscovered realm to the dominions of knowledge. She deems it no unworthy task to tell with what self-sacrificing spirit philanthropists have labored on through difficulty, and discouragement, and opposition, to give effect to some grand scheme of benevolence, in many instances dying without one glimpse of the glorious triumph which was destined to crown their exertions. By examples such as these does biography teach, and teach noble lessons.

There is, however, yet another use of biography. It helps us to a better understanding of the way in which the great machine of society works. Thoughts and feelings are the prime forces that act upon it, the thoughts and feelings of individual men. And it often happens that one man, by the force of circumstances, or by the resistless energy of his own spirit, is placed or places himself in a situation to control, like an earthly god, the destinies of whole nations;—still oftener, originates some new thought or makes some new discovery or invention, destined in its consequences to change the whole aspect of society. It is important, therefore, to know something of individual character and conduct, in order to understand the operation of these latent but powerful influences. Indeed, for our own part, if we might be permitted to preserve all the memorials of such men, we should hardly be disposed to quarrel with time for devouring the remainder of his omni-farious offspring.

It serves also as a general and generous stimulant at the great banquet of knowledge. Every one feels a greater curiosity to read the work of a friend or acquaintance than the production of a stranger; and biography makes us acquainted with the authors of the books we read. And certainly, if we may be permitted to speak from our own experience, not a little is added to the interest with which we peruse the writings even of the glorious Milton, when we learn from his biographer, that he was a firm friend of freedom in his day; that he lived in the stormy times of the English Commonwealth; that he was Secretary to the Protector, Cromwell; that after the restoration, he was persecuted, though old and diseased, and poor and blind; that though

——— not to him returned

Day or the sweet approach of even or morn,
Or sight of vernal bloom, or summer's rose,

Or flocks or herds or human face divine,
But clouds instead and ever during dark
Surrounded him ;

that though

——— fallen on evil days and evil tongues,
With danger and with darkness compassed round,

he yet, under this accumulated pressure of calamity, did not

——— bate a jot
Of heart or hope, but still bore up and steered
Right onward.

And every one knows, for every one feels, how the remembrance of the deeds of our Revolutionary fathers has invested with an almost holy character and sacred authority whatever they have left behind them for the instruction of their children. It is because we know who they were, and what they did, that we now give such earnest heed to what they said. It is because we know that they labored hard, and acted wisely, and suffered much, and ventured every thing, that we now listen to their voices reverently as to the responses of an oracle.

The individual, of whom we now propose to speak, has not, indeed, this last sacred claim upon us. But he has a claim of as high, though different nature. He belongs to a great party, which has arisen in modern times,—we mean the party of the friends of freedom, universal freedom ; who confine their regards within the limits of no geographical boundaries and to no peculiar texture or color of the skin. And we rejoice in it as one of the best signs of our times, that let a man only be seen laboring in the cause of mankind, and bringing with him to the work eminent ability and exalted worth, and be he of what nation he may, voices of approbation and encouragement will come to him from every abode of civilized man, to cheer him on. Such a man fixes the gaze of multitudes every where. And herein we have a strong security for his faithfulness. If he tire of his work, or suffer himself to be lured aside by temptation, he knows that imagination cannot number the tongues that will pronounce his name with loathing and abhorrence.

We would not be thought to have forgotten the maxim, that none but the dead can be accounted happy. We are aware that the judgment of the dead was not, and is not peculiar to

Egypt. Nor is that judgment to be held in light esteem. Posterity will, no doubt, pronounce more impartially upon the doings of a man, but, perhaps, not, therefore, more unerringly than his contemporaries. The mists of prejudice may be dissipated,—may be, but are not always; yet much will be forgotten that is essential to a just decision, and ignorance darkens judgment as much as prejudice misleads it. There are important purposes to be answered by a contemporary trial of the living man. If he have done well, the applause of the world will encourage him to do better; if ill, the censure of the world will deter him from a repetition of the evil. Public opinion now-a-days takes cognizance of every man's thoughts and conduct, and binds him over to good behavior. It is well that it is so. It is well for mankind, that public opinion cheers the laborer in a good cause onward; while it rebukes the evil-doer in tones of authority that must be felt and cannot be disregarded. We should not hesitate, therefore, to speak of Henry Brougham, as we think he deserves to be spoken of, under any circumstances. Much less would we stifle the expression of our opinion now, when an ocean rolls between us, and we are to him as posterity. Besides, we would contribute our humble aid to foster sentiments of reciprocal esteem between those, who, in different lands, and under widely different circumstances, cherish the same love of freedom, and the same earnest desires to promote the best interests of mankind. We propose, therefore, the life and character of Brougham, as a worthy example to those who are ambitious of a noble name. We would not ask for him the tribute of admiration only. We require for him another and a higher homage,—the homage of imitation. Not that all can tread where he has trodden. That is not needful. But every one may find something in his example to imitate. All may learn something from the study of his life, that will make them wiser and better men,—more enlightened as to what the condition of the age requires of them; and more firmly resolved to do what is required.

We have extended these preliminary observations somewhat beyond our intention; but, we hope, not uselessly. We will detain our readers on the threshold no longer; but proceed at once to lay before them what information we have been able to collect. Henry Brougham was born in Westmoreland, a county in the North of England, in 1769. Of his early

life we have been able to ascertain little more than that he was educated in Scotland. It would be interesting to know what promise his infancy gave of his future greatness. It would gratify a natural curiosity to be informed whether they who saw the seedling germ, predicted the majestic height and wide-spreading luxuriance of the full-grown oak. We may infer, however, with sufficient certainty, from the subsequent character of the man, that the boy must have been great among boys. It is probable that he was even then distinguished for clearness and quickness of apprehension, force of thought, energy of expression, and decision of character. He was, it is likely, no idler; but, warned by some mysterious instinct, of the part he was destined to act on the great theatre of human affairs, he gathered with patient toil and treasured up in his mind vast stores of knowledge for his yet undeveloped faculties to act upon in future years. He could not have been a genius, if a genius be what a real genius has lately been described to be, ‘an idle, irregular vagabond sort of a personage, who muses in the fields, or dreams by the fire-side, whose strong impulses must needs hurry him into wild irregularity or foolish eccentricity; who abhors order, and can bear no restraint, and eschews all labor.’ On the contrary, it is very probable, that he labored intensely, and was, perhaps, spoken of by his school-fellows as a hard working fellow,—but no genius. At all events, it is certain that his whole after life has been a practical declaration of a deeply seated conviction of the paramount importance, the indispensable necessity of earnest, unwearied, unremitting labor. His whole life bears witness to his belief, that nothing worth having can be gained without effort; but that by steady, persevering effort, every thing may be gained.

We first hear distinctly of Mr. Brougham as a member of a celebrated debating society, in Edinburgh. There, like our own Pinkney, he trained himself in the arts of logical offence and defence. There he prepared, by assiduous self-discipline in mock encounters, for the more strenuous contests of after years, when the buttons were to be off the foils, and shields were to be stricken with the sharp end of the spear, until they should ring again. Success, more brilliant than fancy could have pictured or hope have prophesied to the youthful aspirant, was destined to crown his labors.

About this time, while he was not yet twenty years of age,

he wrote and communicated papers on the higher Geometry to the Royal Society of London. These papers were ordered to be printed in the Transactions of that Society, and they were read, admired and commented on in foreign tongues. This was his first great triumph, and a great triumph indeed it was. We can hardly conceive a worthier commencement of his glorious life. Perchance we may be singular in our opinions; but we do look upon these purely intellectual achievements as conferring a far more enviable distinction upon a man, than the proudest military triumphs. We would have the feelings of Franklin, when with a kite and a hempen string he brought the lightning from the clouds, rather than those of the Duke of Wellington after the battle of Waterloo. And therefore we think it by no means the least honorable circumstance of Brougham's career, that at so early an age, when he was, in fact, but a mere boy, he should have been able to communicate such papers to such a society; that they should be deemed worthy to be published in that great record of their collected wisdom, through which Newton was proud to give some of his most splendid discoveries to the world, and that they should have attracted the attention, and been honored with the comments of the philosophers of the continent.

In 1813, in the thirty-fifth year of his age, Mr. Brougham published an elaborate work on the Colonial Policy of the European Powers, which added much to a reputation already brilliant. About the same time, also, he became a contributor to the *Edinburgh Review*, which periodical had been established the year before, and had espoused the principles of the Whig party. Of this *Review*, he has ever since been one of the chief ornaments and supporters. He has contributed to its pages many of its best articles on various subjects of literature and science, seeming equally at home and at his ease in either walk. As we do not intend to recur again particularly to his scientific or literary labors, we will mention here that he is the author of several papers in *Nicholson's Journal*, of which we cannot fix the date. While thus engaged in laying deep and strong the foundations of his fame in a broad and comprehensive knowledge of men and things, and their infinitely diversified relations, he did not neglect the more dry and abstruse investigations through which lies the road, and the only road, to legal distinction. He had chosen the profession of the law, and to choose a profession, and to determine to be among the most distinguished

of its members, were to him one and the same thing. He set about giving effect to this determination with all that energy of will and perseverance of effort, which he had already displayed so conspicuously in other pursuits. All our readers, probably, know how splendid was his success ; and will pardon us, if we hasten to the commencement of his parliamentary career.

He was about thirty-eight years of age, when he first took his seat in Parliament ; having been returned for Camelford, a borough in the interest of the Duke of Bedford. It was a period crowded with great events. The world was then agitated by the all-grasping ambition of one extraordinary man. Nothing seemed to be exempt from his power. He overturned thrones and subverted governments. At the distance of three thousand miles, we felt the shock. England alone seemed to stand in his way to the mastery of the old world ; and with England, he was, at this period, at war. In ordinary wars, neutral rights are respected, and the neutral position is one of eminent advantage. But this was not an ordinary war. Napoleon led the way to the violation of the law of nations and of neutral rights, by the famous decree of Berlin, issued in November, 1806. The English Government retaliated, by issuing the equally famous Orders in Council, in November, 1807. In December of the same year, Congress, deeming our commerce ‘unsafe within the wind of such commotion,’ passed the embargo law, by which our whole trade was at once withdrawn from the ocean. Of the effect and policy of all or any of these acts of belligerent legislation, it is not our purpose to speak in detail. The trade and manufactures of Great Britain were deeply injured by them ; and, in the following year, petitions were presented from London, Liverpool, and Manchester, against the obnoxious Orders in Council. Mr. Brougham was the most conspicuous advocate of the petitioners. He argued their cause, and the cause of the nation, ably and faithfully ; but his efforts were not, at this time, successful. The Orders in Council were not rescinded. For four years longer, the nation struggled on through every form of embarrassment and distress. The merchants and manufacturers again complained and petitioned ; and Mr. Brougham was again their advocate. He moved that evidence should be heard at the bar of the House of Commons on the state of the country. Contrary to general expectation, according to the wish, rather than the hope of the petitioners themselves, the

motion prevailed. Evidence was introduced. Mr. Brougham himself took the lead in the examination ; which was continued near a month, until the House was saturated with information as to the existence and the cause of the general distress. He then, in a speech of great eloquence and power, urged the immediate repeal of the obnoxious and ruinous edicts. His principal arguments were drawn from the vast importance of the American market to the British manufacturer, and the necessity of checking the growth of a manufacturing spirit in the United States, who had begun to make at home, what British policy prevented them from purchasing abroad. We regret that we have not room to lay before our readers some passages from this truly splendid speech ; but we must reserve all the space that can be spared for other quotations of even greater interest. His power had been felt before ; but in this debate, he first put forth his whole strength. He showed himself to be armed with a perfect knowledge of the whole merits of the question, and he used his knowledge with wonderful skill. He exposed, with irresistible sarcasm, the absurdity and ruinous character of the ministerial policy ; and he alarmed the fears and aroused the sympathies of the House, by vividly picturing the uneasy and distressed condition of the country. It is scarcely necessary to add, what nearly all our readers know, that he went out of this debate triumphantly. The Orders in Council were rescinded on the 23d of June, 1812. It was, indeed, too late to regain our trade ; for war had been declared by the United States against Great Britain, only a few days before. Mr. Brougham's merits, as the champion of the commercial and manufacturing interests, could not, however, be affected by this extrinsic circumstance, which so greatly diminished the value of the victory he had gained for them. We are informed by a gentleman, who was himself an important witness before the House, and whom these pernicious enactments went near to ruin, that the deputations from Leeds, Manchester, Birmingham, Liverpool, and other places, then representing their interests at London, presented to Mr. Brougham, on this occasion, a splendid service of plate, as a token of their sense of the value of his services.

But the repeal of the Orders in Council constitutes one of his least claims upon the gratitude of his country. We now invite the attention of our readers to his labors in the cause of popular education. This important subject seems to have occu-

pied him early ; but it was impossible to draw the attention of Parliament to it while the country was plunged in war. He did not attempt to do so, and he acted wisely. In the meantime, the people,—‘a class,’ as somebody has well said, ‘who became obsolete soon after the downfall of the Roman Republic, and did not come again into notice for some sixteen or seventeen centuries,’—were learning a lesson in the school of experience, that rigid and stern, but most efficient schoolmaster. The great efforts that had been made, and were making, to vindicate the rights of the many against the pretensions of the few, were not regarded with an indifferent eye. Our own example of prosperous freedom shone calmly, but gloriously, upon the path of nations. Many eyes, that had been blind to the signs of the times, were opened ; many ears, that had been deaf to the pleadings of humanity, were unstopped ; many tongues, that had been silent in her cause, were loosed ; so that when the war ended and the heavy pressure was taken off from the energies of the nation, every body felt that a great change had been wrought upon public sentiment, and that a great reform was necessary to satisfy the wishes of the people. Mr. Brougham seized this auspicious moment to commence his labors in behalf of education. In England, education had never been made a national concern. Individuals, of every rank, from the monarch down to the humblest of his subjects, had, from time to time, appropriated large sums to this object ; but the nation, as a nation, had never done any thing for it. It became necessary, therefore, if Parliament should determine to take this matter into their own hands, to ascertain how far their individual contributions went towards accomplishing the object of a national education, before it could be known how much must be supplied from the public treasury. It was very generally understood, that numerous instances existed, of most reprehensible mismanagement and misapplication of the funds devoted by private munificence to this truly pious purpose. Every lawyer knew this perfectly well. In the sixth volume of the Term Reports, we find Lord Kenyon remarking, in one of his opinions, that ‘ whoever will examine the state of the grammar schools in different parts of the kingdom, will see to what a lamentable condition most of them are reduced. If all persons had equally done their duty, we should not find, as is now the case, empty walls without scholars, and every thing neglected but the receipt of the salaries and emoluments.’ And in the

thirteenth volume of Vesey's Reports, Lord Eldon is represented as solemnly and sternly denouncing from the bench, the general mode of dealing with the charity estates all over the kingdom, as 'grossly improvident, amounting to a direct breach of trust.'

Mr. Brougham's first efforts were, of course, to be directed to the exposure and correction of these abuses. In 1816, he began by moving for a Committee to inquire into the state of education among the lower orders of the metropolis. The alarm and clamor, with which the first proposal to extend the blessings of education to the working classes had been received, had subsided and was become disreputable. The motion, therefore, was not opposed. An Education Committee, consisting of forty members, taken indiscriminately from both sides of the House, was appointed, and Mr. Brougham was placed at the head of it. We cannot give any detailed account of the labors of this Committee; nor is it necessary to our purpose. A man who is in earnest in a good cause, will not shrink from the burdens it imposes; and we accordingly find Mr. Brougham, as we might have expected to find him, doing a very large share of the Committee's work. And the work was well done. The investigation went to the very bottom. The Committee made a voluminous Report,—printed by order of Parliament,—showing the proportion of uneducated children, the state of their morals, the happy influence of education upon morals, the circumstances in the state of the country favorable and unfavorable to education, the proper methods of promoting education, and lastly, the condition of the funds, already applicable to this purpose. In the session of 1818, this Committee was revived and clothed with larger powers. Its labors were renewed with the same energetic zeal, which had marked them when confined to a narrower sphere. Great numbers were examined, as well upon the general subject of education, as upon the application of the charitable funds. Mr. Brougham himself was a witness, and spread before the Committee a vast amount of information, collected by actual observation and from an extensive correspondence. The whole accumulated mass of evidence was digested into a second Report, which was also printed by order of Parliament. These Reports furnished a complete chart of the state of education throughout the kingdom, and attracted universal attention. It was found, that Lord Kenyon's descrip-

tion was not only not overcharged, but that it actually fell far short of the reality. Men were found receiving large salaries for teaching, where nothing was taught; and where, in some instances, the very endowment of the school was unknown to those who should have received the benefit of it. Two or three cases, taken almost at random from these Reports, and from another source, will set this matter in a much stronger light than the most elaborate description.

We will first mention that of a free school and hospital amply endowed. The lands belonging to this charity, worth about \$12,000 a year, were rented by the trustees to individuals of their own number, for about \$3000. The free school was not taught at all; because, as it was alleged, scholars would not come; yet there was a master receiving a good salary, and enjoying, besides, the use of a house and premises worth about \$400 a year, and keeping a private school for his own benefit, in the free school-house! Where he found scholars is a mystery. It was utterly impossible to get any when they were to be taught for nothing. In another case,—which we find detailed in a letter from Mr. Brougham to Sir Samuel Romilly, recommending a commission of inquiry,—a suit was brought in Chancery, and the evidence showed a richly endowed school, where the master was engaged in the laborious duty of teaching one whole boy, and his usher was helping, as well as he could, at the distance of a hundred miles. In this case, the Chancellor thought himself obliged to decree to this master and his usher, for services so meritorious, all the money received on account of fines, amounting then to about \$25,000; lamenting, at the same time, the extreme injustice of the case; but saying with Portia,

‘The law allows it, and the court awards it.’

The last case we shall mention is that of a free school, where the master and usher enjoyed a clear income of about \$4000 a year; besides houses for both and two closes for the master. The school-room had gone to ruin, and was converted into a carpenter’s shop. There was, as in the first case, one scholar, who was taught in another room. The master had been obliged, as he said, to be a great deal absent from home, much against his inclination, and the usher, of whom he had the appointment, was deaf.

These facts are enough to show what was the nature of the

abuses that Mr. Brougham undertook to investigate. He was cheered, at the outset of his labor, by the unanimous applause of all parties. He found approbation, and encouragement, and support every where. Even the Ministers condescended to say, that they wished Mr. Brougham were always as well employed. The sky was clear;—the sea calm;—the breeze blew fair. Every thing seemed to bode well. In a little time, however, all this encouraging prospect was overcast. The questions connected with national education, remote as they are in their nature from party considerations, became, nevertheless, from causes that our limits do not allow us to state, party questions. The Ministry now began to think it a dangerous thing to commend a measure that had originated with so active an opponent as Mr. Brougham; and they naturally tried to retrieve the error that had betrayed them into temporary fairness, by hindering, or at least embarrassing its farther progress. A multitude of small writers opened their little batteries upon Mr. Brougham. He was charged with designs hostile to the two great Universities of Oxford and Cambridge. He intended, they said, to convert them into schools for paupers. He was accused of a wish ‘to make himself a dictator in this country, by establishing a grand inquisition, and placing himself at its head.’ It may well be supposed, that Mr. Brougham was not alarmed by these attacks. In 1819, he introduced a bill recommending a parliamentary commission of inquiry into the condition of charitable endowments, to complete the work which the Education Committee had begun. In the debate that arose upon this bill, the objections to the measure were arranged principally in two classes; the one, founded on the pretence, that the powers granted to the Commissioners would enable them to pry into the private titles of the kingdom; the other, on the assumption, that a sufficient remedy for abuses, if any there were, already existed in the Court of Chancery, under the statute of Charitable Uses. On the first class of objections, Mr. Brougham commented with deserved severity. ‘Under the flimsy pretence,’ he says, ‘of great tenderness for the sacred rights of property, I am well aware that the authors of the outcry conceal their own dread of being themselves dragged to light as the robbers of the poor; and I will tell those shameless persons, that the doctrine which they promulgate of charitable funds in a trustee’s hand being private property, is

utterly repugnant to the whole law of England.' And this proposition, we think, he conclusively demonstrated, but we have not space for the steps of the process. We shall give, at greater length, a part of his reply to the second class of objections, not merely because it is vivid and powerful, but because it is a vivid and powerful description of a Court, in which Mr. Brougham himself now presides as Lord High Chancellor of England.

'It is enough to observe of the remedy under the statute of Charitable Uses, that it leads him who pursues it, sooner or later, into the Court of Chancery; and, in truth, as the law now stands, that well known Court is the only refuge of those who complain. See then the relief held out to us by those who oppose, or threaten to oppose this measure, and who bid us resort to the ancient laws of the land! It is admitted to be true, that glaring abuses every where prevail; true, that hardly a parish or a hamlet can be found where complaints are not heard; true, that the highest judicial authority proclaimed the extent of the grievance; true, that a Committee of the House of Commons, thirty years ago, vehemently urged you to afford redress. But your remedy is at hand, say the objectors,—what reason have you to complain? Is not the Court of Chancery open? Come, all ye who labor under the burden of fraud and oppression, enter the eternal gate of the Court of Chancery! True, you are the poor of the land,—the grievance you complain of has robbed you of every thing; but, though pennyless, you are not remediless; you have only to file a bill in Equity, and the matter will take its course! Why, if there be nothing in the reality, there is something in the name of the Court of Chancery, that appals the imagination and strikes terror into the unlearned mind. I recollect the saying of a very great man in the Court of King's Bench. The Judge having said of his client, "Let him go into a Court of Equity," Mr. Erskine answered, in an artless tone of voice, that made Westminster Hall ring with laughter, "Would your Lordship send a fellow-creature there?" There may be some exaggeration in the alarms created by the bare name of this Court; but, as long as it exists, a barrier is raised against suitors, who only seek redress for the poor, though no bars of oak or of iron may shut them out. Yet that the prevailing panic has some little foundation, I will show you by a fact. This remedy has only once been resorted to since 1787, and I am now enabled to state the result. The commission was executed in 1803; and in 1804, a decree was made, and the Court was petitioned to confirm it. Exceptions were taken as usual. Much and solemn argument

was held, and I will venture to say from what I know of that Court, the case was most learnedly and plentifully debated. In 1808 the matter was deemed ripe for a decision, and, to use a technical but significant expression, it has *stood over for judgment*. Now in the language of the profession, "*this is my case*." If any one tells me that the statute of Charitable Uses affords a remedy, I answer, that the grossest abuses being every where notorious, this remedy has been only thrice resorted to for above half a century, and only once within the last thirty years; and I bid him look at the fate of that one attempt to obtain justice.'

Notwithstanding Mr. Brougham's argument and eloquence, his bill did not pass, except after material modification, and being shorn of a great part of its original efficiency. The power proposed to be given to the Commissioners was limited, their sphere of action narrowed, and some classes of charities, in which abuses were known to exist, altogether exempted from investigation. The original bill proposed the appointment of eight Commissioners by Parliament, to be distributed into four Boards of Inquiry. The number eight was retained; but three instead of two Commissioners were assigned to each Board, and their appointment was assumed by the Ministry. The Education Committee, still anxious, though much disappointed, to give what effect they could to the measure, recommended several persons known to have distinguished themselves in the investigation, to be of the commission. The men of their nomination were passed by without ceremony; while men were appointed, avowedly hostile to the measure, or devoted, with almost exclusive zeal, to professional pursuits. Mr. Brougham offered his own services. They were rejected with contemptuous silence. On this subject, our readers will allow us to use his own language. 'I was induced,' he says in his letter to Sir Samuel Romilly, 'to tender my services, by the strong representations of my fellow-laborers in the Committee. As the office conferred neither emolument, nor patronage, nor power; as it gave only the privilege of hard labor, of which my habits of life and my zeal for the cause made it very clear that I should cheerfully take advantage; I imagined that the most implacable species of malice,—the spite of peculators trembling for their unjust gains,—could hardly impute any selfish views to the application. I therefore stated openly in my place, that I was anx-

ious to be an honorary member of this commission. I added, that even if my temporary retirement from Parliament were deemed an indispensable condition of the appointment, I still desired to have the option upon those terms; being of opinion, that I might render more valuable service to the country by devoting to the proposed inquiry the whole time which I could spare from professional avocations.' Yet though Mr. Brougham thus publicly declared his readiness even to go out of Parliament, if he might be permitted on that condition to labor for the public good, men were found willing to assert that the sole spring, source, and motive of all his efforts in this cause was parliamentary ambition.

Crippled and maimed as the bill was in its passage, it nevertheless produced important results. The Commissioners appointed under it, made two reports, containing the substance of their investigations into the condition of a large number of charities. The statements of the Education Committee were fully confirmed; and, in the next year, the whole original measure of Mr. Brougham was carried through Parliament *without a dissenting voice*. And more. The powers of the Commissioners were enlarged, and their number increased beyond his first proposition; to the infinite mortification of a number of scribblers, who had thought to render an acceptable service to the Ministry, by attacking that measure, which public opinion constrained them at last to adopt as their own. The reports of the Commissioners, made as well before as after this supplementary measure, are very ample, and contain a full account of the condition of a great portion of the English charities.

Mr. Brougham now thought the time come for a direct effort to effect that grand object to which all this inquiry was a mere preliminary. He brought into Parliament, in 1820, his celebrated bill for the general education of the poor; providing for the instruction of all the children of all the people in common schools. This bill instantly became the object of virulent assault. Inflamed and contradictory accounts of it were spread among the people. The Churchmen were admonished that it would ruin the Establishment; while Dissenters were warned that it would annihilate the sects. Every effort was made to array the religious feelings of the community in opposition to the measure. One writer actually went so far, as to ascribe the whole scheme to the instigation of Satan, and seemed impressed with a vague notion, that Mr. Brougham

himself must be, some how or other, an incarnation of the Prince of Darkness. Of this writer's ravings, we give a specimen, as a curiosity in controversy.

'And this reprehensible plan (Mr. Brougham's Plan of National Education) is proposed at a time when the enemy is, with malignant craft and industry, compiling and circulating far and wide manuals of the most blasphemous and seditious nature, for the use of those very children who are taught to read and write by the public benevolence. If the Madras System of Education, which more than combines all the mechanical advantages of the Lancasterian, with the addition of wholesome and daily instruction in Christian faith and practice, as admirably set forth in our Church Catechism and other appropriate expositions, is even endangered by these infernal machinations of the Devil and his inspired agents; how can we contemplate without painful apprehension, those naked schemes of education, which offer no effectual barrier against the infidel and demoralizing doctrines of the times! The enemy of mankind, whose element is sin, and whose good is evil, neglects no opportunity to sow his tares in a field so superficially cultivated, and so exposed to his incursions.'

It will doubtless astonish Americans to learn, that the study of the Bible, without note or comment, was a part of the plan of instruction so vehemently attacked. It is deeply to be regretted, that appeals to the religious sentiments of mankind should be so often made to arrest the progress of benevolence, or the diffusion of knowledge. Still more deeply is it to be lamented, that these appeals should be so frequently successful; that religion, the highest, the purest, the noblest of all the influences that can operate upon man, should so frequently become, in the hands of designing or ignorant men, the instrument of counteracting her own benevolent purposes. In the present case, they prevented an incalculable good to England. The progress of the Education Bill was arrested; and Mr. Brougham's efforts in Parliament were, of course, suspended. Of this sore disappointment, he speaks in the Dedication of his *Practical Observations on Popular Education*, with that calmness and forbearance, which he has ever displayed, when either was a virtue. 'I have,' says he, 'brought the question of Elementary Education repeatedly before Parliament, when the lukewarmness of many, and by me ever to be respected scruples of some, have hitherto greatly obstructed my design.'

As it is our intention to describe what Mr. Brougham has done, without following very scrupulously the order of time, we shall make no apology for taking our readers back to the year 1816. In that year, his parliamentary life seems to have been fruitful of events. We have already mentioned, that he began his labors in behalf of popular education at that time. And we must not pass without notice his motion for a copy of the 'Christian Treaty,' 'falsely so called,' concluded at Paris, September 26, 1815, between the sovereigns of Russia, Austria, and Prussia. He was the first, we believe, who exposed the iniquitous conspiracy against the rights of man, concealed under the specious engagement, by which the three potentates bound themselves to take for the guide of their political conduct the precepts of our holy religion. His motion afforded him an opportunity to make this exposure; though we do not know that it answered any other purpose, or, indeed, that it was intended to answer any other. The whole world has since seen how well founded were his suspicions of this Holy Alliance.

In 1816, also, Mr. Brougham took a conspicuous part in the discussions that arose upon the distresses of the country. The agricultural interest suffered most. The war demand had greatly raised prices, and caused a large amount of capital to be invested in farming operations; and other causes co-operated to produce the same result. At the return of peace, the extraordinary demand ceased, and prices fell. Multitudes were ruined. Mr. Brougham mentioned in his speech the case of a parish, in which every individual but one became insolvent. All over the country, there were scenes of distress constantly occurring, which beggar description. Parliament took the subject into consideration. Mr. Brougham's speech on this occasion is distinguished by extent of research, by a vast accumulation of facts, and by the clearness of the principles and the conclusiveness of the arguments derived from those facts. It exhibits a complete view of the history and condition of the agriculture of the country; of the causes of its prosperity and decline, and of the remedies he thought best calculated to relieve existing distresses.

The next year, we find Mr. Brougham indignantly denouncing the treacherous dealing of the British Ministry with the States on the continent, after the final overthrow of Napoleon; and particularly with Ragusa and Genoa. In the great council

of partition and spoliation, held at Vienna in 1814, it was determined, without the consent, and contrary to the known wish of these States, to annex Ragusa to Austria, and Genoa to Sardinia. The last act of violence and wrong was the more unjustifiable, because the restoration of their ancient Government, and the enjoyment of civil liberty, had been assured by the English Government to the Genoese. We quote the language of Mr. Brougham on this subject, the rather, because it affords a specimen,—the only one which we shall have occasion to cite,—of that vehement invective, which he is said to employ so effectively, when the occasion demands it.

‘Sir, if one page in the history of the late Congress be blacker than another, it is that which records the deeds of the noble lord (Lord Castlereagh) against Genoa. When I approach this subject, and reflect on the powerful oratory, the force of argument, as well as of language, backed by the high authority of virtue, a sanction ever deeply felt in this House, once displayed in the cause of that ill-fated republic, by tongues now silent, but which used to be ever eloquent where public justice was to be asserted, or useful truth fearlessly inculcated, I feel hardly capable of going on. My lasting sorrow for the loss we have sustained, is made deeper by the regret that those lamented friends live not to witness the punishment of that foul conduct, which they solemnly denounced. The petty tyrant, to whom the noble lord delivered over that ancient and gallant people, almost as soon as they had at his call joined the standard of national independence, has since subjected them to the most rigorous provisions of his absurd code; a code directed especially against the commerce of this country, and actually less unfavorable to France.

‘Thus, then, it appears, that, after all, in public as well as in private, in state affairs as well as in the concerns of the most humble individuals, the old maxim cannot safely be forgotten, that “honesty is the best policy.” In vain did the noble lord flatter himself, that his subserviency to the unrighteous system of the Congress would secure him the adherence of the courts, whom he made his idols. If he had abandoned that false, foreign system, if he had acted upon the principles of the nation whom he represented, and stood forward as the advocate of the people, the people would have been grateful. He preferred the interests and wishes of the courts; and by the courts he is treated with their wonted neglect. To his crimes against the people, all over Europe; to his invariable surrender of their cause; to his steady refusal of the protection which they had a right to expect, and which they did expect from the manly and generous character of

England, it is owing, that if, at this moment, you traverse the continent in any direction whatever, you may trace the noble lord's career in the curses of the nations whom he has betrayed, and the mockery of the courts who have inveigled him to be their dupe.'

In 1820, an extraordinary event occurred, in which Mr. Brougham was a conspicuous actor, and drew upon himself the observation of the civilized world. Every one remembers that the late Queen Caroline, in a little more than a year after her marriage, was unaccountably abandoned by her husband, then Prince of Wales; that, after suffering much and painful humiliation, she left England, and remained abroad until the decease of George III.; and that she then returned to claim her rights and vindicate her character. Her arrival was greeted with the most enthusiastic demonstrations of joy and affection on the part of the people. The Court did not, of course, participate in these sentiments. The Church was forbidden to insert her name in the Liturgy. The prime minister, Lord Liverpool, was directed to bring a bill into the House of Lords to deprive her of her rights and title as Queen-consort of the realm; and the most dishonorable methods were resorted to, to accumulate evidence against her. Mr. Brougham was her Attorney-General. It is said, that he had endeavored to dissuade her from returning to England; but in vain. He now used every effort to prevent the disgraceful trial which he had anticipated, from proceeding; but with as little success; and certainly no lawyer ever prepared himself for the defence of a nobler client, or under more peculiar circumstances. Against him, he saw arrayed the power of the King, the influence of ministers, the wealth of the treasury, and the interests and prejudices of a majority of the judges; and he knew full well, that to proceed, he must turn away his eye from the most tempting objects of ambition, and shut against himself the door of political elevation during that whole reign. Under such circumstances, a man might be excused, if he should display some little hesitation. Mr. Brougham never hesitated for a moment. It was enough for him to know, that he was to plead the cause of a stranger, to whom the rights of hospitality were denied; of a woman assailed by power; of a wife persecuted by her husband; of a Queen excluded from her throne; and that he had with him the sympathies and good wishes of almost the entire nation.

This celebrated trial commenced in the House of Lords, on

the 17th of August, 1820, and continued nearly three months. Mr. Brougham exerted himself throughout with the most untiring zeal. His principal speech in the defence consumed the greater part of two days. When he had wrought his crowded audience to the highest pitch of intense excitement and breathless expectation, he concluded amid a deep silence that might almost be felt, by solemnly adjuring the Lords to forbear; he warned them that they stood on the brink of a precipice;—they might go on to pronounce judgment against their Queen, but it would be the last judgment they would ever pronounce;—he entreated them to save the country and themselves; he reminded them, that when the prayers of the Church were denied to the Queen, the prayers of the people went up to Heaven for her; and he ended by solemnly invoking Heaven, that mercies might descend on the people of England richer than their rulers had deserved, and that the hearts of the Judges might be turned to justice. We shall not attempt to describe the effect of this eloquent speech. The final issue is well known. The Ministry thought fit to withdraw the bill, and thus closed these shameful proceedings, to the great joy of the whole nation. The unfortunate Queen's cup of sorrow, however, was not yet full. She was doomed to experience yet other humiliations. She was excluded from participation in the coronation; and she was refused permission to be present at the ceremony. She even suffered the personal mortification of being denied admittance to Westminster Abbey. Under this accumulated weight of affliction and grievance, she sunk and died. Mr. Brougham, in an address to the electors of Yorkshire, called it '*murder.*' Perhaps the public opinion of the world has sanctioned the severity of the phrase.

We must pass over with a bare mention, Mr. Brougham's efforts in 1822 to throw open the Beer Trade. We can only glance at his eloquent pleading for oppressed Spain in 1823. In 1816, he had exposed the purpose of the unholy league impiously denominated the Christian Treaty; it was now his fortune to see his apprehensions realized, his prophecy fulfilled. It was in vain that he undertook the cause of the struggling Spaniards in the House of Commons. The fetters they had broken and flung off, were forged anew, and a French army was sent to rivet them again more firmly than ever. But we must pass by all this, and come at once to what

he has done, and is now doing, for a Reform of the English Law.

The common law of England, originating in a barbarous age, in a state of society when commerce and manufactures were unknown, and men were divided into despised tillers of the ground and fierce wielders of the sword, is not, and could not be expected to be adapted to the exigencies of a civilized, manufacturing, and commercial community. As at present administered, the common law may almost be said to be a common nuisance. True, many additions and alterations have been made in the process of time. It is quite a different thing from what it was ; but it can hardly be said to be a better thing. It is now an immense patch-work ; the parts have been collected from a great variety of codes, fitted to a great variety of times and circumstances. Some of it is Danish, some Saxon, some Norman, and some Roman. Some of it is ancient, and some of it is modern. It is like a coat made of old cloth and new cloth ; with sleeves for a baby, skirts for a boy, and a body for a man. It is like such a coat in another respect too ;—it is found to fit nobody. The administration of the law is more wretchedly defective than the law itself. Justice is sold at an enormous price. The witty saying of Horne Tooke is too true. To one who said, ‘the Courts are open,’ he replied, ‘Aye, like the London Tavern,—to all who can pay the bill.’ So high are these bills, so great is the expense of legal proceedings, that it is frequently better to pocket an injury quietly and say nothing about it, than to attempt to obtain redress at law. If any one in England have a hundred dollars owing to him, and his debtor refuse to pay, it is cheaper to let it go than to sue for it. If any one have paid a hundred dollars and taken a receipt, and the man who has been paid demand a second payment, it is cheaper to pay the money over again, than to go to law and defend the suit successfully. So that it was not fancy, but sober truth that guided Dean Swift’s pen, when he represented the father of the famous Gulliver as ruined, by *gaining* a Chancery suit *with costs*. To put the matter more plainly before our readers, we will narrate the leading circumstances of one case in which Mr. Brougham was himself employed, and of which a meagre account may be found in Mr. Starkie’s very valuable book on Evidence. We shall use nearly the language of Mr. Brougham’s speech on the Reform of the Law, in which we find a more detailed statement of the transaction.

The case was in the Court of Exchequer, and Mr. Brougham was counsel for the defendant. It became his duty to examine a witness for the crown, who exhibited strong indications of perjury ; but the verdict went against him, notwithstanding. On a new trial, however, the suspicion of perjury before entertained was turned into certainty, and the defendant was acquitted. A prosecution for perjury was instituted against that witness and seventeen others connected with him. Eighteen indictments were found, and the Crown removed the whole into the King's Bench. The Attorney-General conducted the prosecution. On the first indictment, Meade, the perjured witness already mentioned, was clearly convicted. The other seventeen were then to have been tried, but the Crown had made them all special jury cases, and, of course, there was not a sufficient number of jurors present. A warrant was prayed, as is usual, we believe, in such cases, that the jury box should be filled from the by-standers ; but the Crown refused the warrant. Thus an expense of near fifty thousand dollars was incurred, and a hundred witnesses were brought from a great distance to London, all for nothing, except after the vexation, and trouble, and delay he had endured, to work the ruin of the prosecutor, who had at first been harrassed on the testimony of the perjured witnesses. These poor farmers had no more money to spend in law ; all the other prosecutions were dropped. Even the wretch who had been convicted, obtained a rule for a new trial ; but funds were wanting to meet him again, and he too escaped ; so that public justice was utterly frustrated, as well as the most grievous wrong inflicted on individuals. Nor did it end here. The poor farmer was fated to lose his life by the transaction. He lived in the same village with Meade, the false witness ; and, one evening, in consequence, as was alleged, of some song sung by him in the streets, this man, Meade, seized a gun and shot him dead on the spot. He was acquitted of murder on the ground of provocation ; but found guilty of man-slaughter, and sentenced to an imprisonment of two years. A case of more complicated and enormous hardship, one fraught with more cruel injustice to the parties, can scarcely be imagined to have occurred in any country. Nor is this a very uncommon case. We have not sought through many volumes to find it. Such cases occur frequently. The Courts are familiar with them. The Reports are full of them. They have almost ceased to

be shocking to the administrators of the law. ‘So anxious,’—we quote from Blackstone by way of commentary,—‘so anxious is the law of England to maintain and restore to every individual the enjoyment of his civil rights, without intrenching upon those of any other individual in the nation; so parentally solicitous is our whole legal Constitution to preserve that spirit of equal liberty which is the singular felicity of the British nation!’

Strange that Mr. Brougham should desire to interfere with such striking manifestations of parental solicitude! Strange that the people of England should desire to rid themselves of the guardianship and tender care of so kind a parent! Yet strange though it be, it is not the less true. The people and their great advocate, influenced, doubtless, by some singular obliquity of moral vision, thought they saw great and grievous defects and vices in that system, which, to the clearer eye of Sir William Blackstone, seemed so perfect and so goodly. And Mr. Brougham set himself strenuously to the work of reform. He began by a speech in the House of Commons, the report of which fills one hundred and thirty-nine closely printed pages. It is, perhaps, not saying too much of this speech to affirm, that there is not one either ancient or modern, that contains a larger amount of information, all bearing with admirable adaptedness and resistless effect, upon the very question under consideration. In this speech, he brought before the House the whole condition of the common law. No nook of the immense field had escaped his observation. He went into every dark corner and hidden recess, as into familiar and frequented haunts. And to this great knowledge of what the law was, he added a clear and sound understanding of what the law should be. While he pointed to the evil, he did not omit to indicate the remedy. All that he said was said with so much distinctness and simplicity, that no idea could be misunderstood; yet with such force and energy, that no mind could remain unimpressed. He concluded with his celebrated motion for the Reform of the Law; ‘That an humble address be presented to his Majesty, praying that he will be graciously pleased to issue a commission for inquiring into the defects occasioned by time, or otherwise, in the laws of this realm, and into the measures necessary for removing the same.’ He afterwards, for the sake of conciliation, made this motion less broad, by substituting the administration of

justice in the Superior Courts, and the Law of Real Property, as objects of inquiry, instead of the Laws of the Realm generally. Thus modified, the motion was carried unanimously. Two commissions were issued by the crown, and the Reports of the Commissioners have been elaborate and valuable. There is a spirit now awake on this subject, that will not slumber again, until, instead of the present cumbrous and unintelligible system of law, and courts like that far-famed labyrinth, into which if a man once entered he never found his way out again, England shall have a simple and intelligible code of laws, and a cheap and prompt administration of justice. Mr. Brougham has already done much. He well understood what was to be done, and how it was to be done; and he went to work cautiously, as a man should, who is dealing with the veins and arteries of the social system. Last June, he brought before the House the result of his labors. His bill proposes to divide England into judicial districts of a convenient size. He would have only one Judge, who should have power to try and determine, with the aid of a jury, all causes of a certain importance. If the parties desire it, the Judge may hear and determine any cause without a jury. When required, the Judge must also act as an arbitrator, and his award will have the force of a judgment. But the most remarkable feature of the plan is this. Any party may cite another against whom he has any claim or complaint, or from whom he apprehends any claim or complaint, before the Judge. When there, they are to state their case in their own way, without any lawyer, and the Judge, having heard them both, is to give them his advice like a friend. If they agree to abide by it, this advice acquires the force of a regular adjudication. This part of the plan seems admirable in theory, and has worked well wherever it has been reduced to practice.

We see no reason why such a plan might not be introduced into the courts of our country to great advantage. While we have great and just cause of grateful triumph, that so much of the absurdity and evil, pointed out by Mr. Brougham in the system of English law, has been purged from our jurisprudence, we have also reason to be ashamed that so much remains. Our modes of distributing justice, especially, are far from perfect. And we may hope that it is not very presumptuous to imagine, nor an unpardonable irreverence of antiquity to suggest, that the present generation may improve what a former generation

has left susceptible of improvement. If our laws and courts should be so improved, that Justice could no longer be represented, and truly represented, as limping tardily along after a nimble rogue, and only catching him, if she catch him at all, when he can get no farther, in the last court of appellate jurisdiction, we may hope, also, that no lawyer would be found weeping in secret over shrunk fees and a lean docket.

But let us return to Mr. Brougham. We have already adverted to his efforts in Parliament in behalf of popular education. We shall now give some account of his more successful, and, as it seems to us, more important labors, out of Parliament, in the same cause. His views on the subject of education, as, indeed, on every other subject, are exceedingly broad and comprehensive. He fixes the period of commencement at the dawn of the intellect, and looks upon an education as complete only when life is ended. He would have the infant go to school, the boy go to school, and the man go to school. He would have established, every where, infant schools, elementary schools, and adult schools. Of the first, he has been from the beginning a zealous, constant, and efficient friend; to his exertions in behalf of the second, the Journals of Parliament bear witness; of what he has done for the third, we are now to speak. And to begin, we will explain what we understand by an adult school. We understand, then, any association of grown-up persons for the purpose of acquiring knowledge. The Lyceums and Mechanics' Institutes, which, within these five years, have begun to be established in our country, are adult schools; and there are adult schools under other names, which we cannot now stop to enumerate. Mr. Brougham thought that the best thing he could do, was to publish some plain account of such associations, proving their great utility, feasibility, and cheapness, with some directions for the management of their concerns. This he did in a pamphlet entitled '*Practical Observations on Popular Education*;' a work unadorned and simple in its diction, as it is powerful in its argument, and beneficial in its tendency. Nearly the same course is recommended, that has been generally pursued in the American Lyceums; to establish a course of lectures, make a beginning, and then to get a library and apparatus, the best that can be afforded, as soon as possible. In England, the great difficulty was to get books. There was, and perhaps is now, a heavy tax on paper, greatly increasing

their price ; and this tax is as heavy on the coarsest as on the finest sorts. To get rid of this difficulty as far as possible, a society was formed, having for its grand object the circulation of cheap publications, containing a large amount of information, compressed into a small space, by crowding the page. This society, 'the Society for the Diffusion of Useful Knowledge,' owes its origin to the sole suggestion of Mr. Brougham ; a suggestion, that may justly be ranked among those great conceptions, which shed unfading glory upon a noble band of deeply thinking men of all ages, and have influenced, do now influence, and will continue to influence the condition of man forever. That this praise may not seem extravagant, let us attend to what the society has done. Immediately after its formation, it commenced the publication of the 'Library of Useful Knowledge.' This series of treatises is published on good paper, with a handsome type, and has reached the eighty-second number. Each number contains about as much matter as a common octavo volume of twice the number of pages and costing five times as much. Each treatise is complete. Some require one number only ; some two, and some more. The biographies are generally complete in one number, though that of Galileo extends through nearly four. The subject of hydraulics is treated in one number ; the American Revolution in two ; arithmetic and algebra in four ; and the history of Greece in nine. These are a few only of the subjects treated. When a volume is complete, an excellent Glossary, containing a neat explanation of every phrase, likely to be at all unintelligible, is published, together with an Index to the whole volume. Such a Glossary and Index have been published to the volumes on Natural Philosophy and Geometry, and an Index to the History of Greece. These treatises are admirable on account of their concise fullness, and the ability and vigor with which the several subjects are handled. Nor are they less worthy of admiration on account of their cheapness. In London they can be had for sixpence a number, containing thirty-two pages, with double columns and small print ; and in our country, for fourteen or fifteen cents. It has sometimes been objected to these works, that they are not intelligible enough. The objection serves only to expose the shallowness of the objector ; and may be completely refuted by the bare statement of the fact, that in the single city of Glasgow, more than five hundred copies of the work are circulated, principally among the mechanics. Those, however, who do not relish

such plain fare as they find in the Library of Useful Knowledge, may find the Library of Entertaining Knowledge suited to their taste. It is published by the same society, and ‘contains,’ to use the words of the Committee, ‘as much entertaining matter as can be given along with useful knowledge, and as much knowledge as can be conveyed in an amusing form.’ This work is published in small monthly numbers. A series of most valuable maps has also been commenced, and has reached the eighth number. A series, designed for the special use of farmers, is likewise in the course of publication. It contains a large quantity of agricultural information, and some of the more recent numbers furnish detailed and minute accounts of the whole management of some of the best farms in England. And last, but not least, this society has published an almanac, full of valuable facts, statistical details, and wise instruction, which has had the excellent effect of driving from their last hold the foolish vaticination and the idle superstition, that had retired from the halls of high philosophy, and entrenched themselves strongly in publications of this sort. It is proof enough of the great value and high popularity of all these works, that the average sale or circulation of each rather exceeds twenty thousand copies; making a grand total, exclusive of maps, of almost a million little books, on the most important and interesting subjects of useful knowledge, put into circulation every year, by the agency of this single society; books, too, not likely to be thrown away after a careless perusal, and forgotten, but to be carefully preserved by each subscriber to constitute a valued part of his family library. Who can calculate the salutary influence of such a society on the public mind?

And this is the splendid result of Mr. Brougham’s suggestion. The whole has been brought about under his immediate superintendence; and not a little of it has been his individual work. If the whole labors of a long protracted and laborious life had been directed to this result, they would have been well directed. By originating this magnificent scheme of public instruction, Mr. Brougham has brought the whole world in his debt. And how incalculably is that debt swelled, when we reflect, that the operation of this mighty agency has but just begun to develop itself; that it will continue to act, with undiminished force, and over an ever widening extent,

‘When we and ours have rendered up our trust,
And men unborn shall tread above our dust.’

We cannot leave this part of our subject, without mentioning, though we can do no more than mention it, that Mr. Brougham was the father of the London University ; an institution, which has had the good effect of calling into existence a rival seminary of learning, King's College ; while it has placed the benefits of a scientific education within the reach of thousands, who had, before that time, been excluded from any participation in its advantages.

We are now to contemplate Mr. Brougham for a moment, as the able champion of the injured and down-trodden children of Africa. From the commencement of his parliamentary career, he has been the strenuous and eloquent advocate of every measure tending to meliorate their condition. In 1810, in consequence of the attempts to evade the prohibition of the Abolition Acts, he moved in the House of Commons, 'that this House will, early in the next session of Parliament, take into consideration such measures as may tend effectually to prevent such daring violations of the law.' In the course of the debate on this motion, he pledged himself to bring in a bill for punishing slave-trading as felony. The motion was carried unanimously, and in the next session, he did introduce a bill, declaring 'all dealing in slaves by British subjects, or persons within the British dominions, a felony, punishable by transportation, or imprisonment and hard labor, at the discretion of the court which tries the offence.' This bill passed into a law, and has the high merit of being the earliest public recognition of the principle, that the traffickers in human flesh are pirates, and ought to be treated as such. Mr. Brougham subsequently turned his attention to the condition of the slaves in the West Indies. His humane exertions in behalf of that friendless and unfortunate race of men are above all praise. But a few months have gone by, since he moved, in the House of Commons, 'That this House do resolve, at the earliest practicable period of the next session, to take into serious consideration the state of the slaves in the Colonies of Great Britain, in order to the mitigation and final abolition of their slavery, and more especially in order to the amendment of the administration of justice within the same.' In his speech in support of this motion, he placed the question on higher ground than that of simple expediency. He went to the bottom of the merits of the case, and denied utterly the fundamental principle of slavery, that man may be the subject of property. 'There is,'

he exclaimed, ‘a law above all the enactments of human codes; the same throughout the world, the same in all times; such as it was before the daring genius of Columbus pierced the night of ages, and opened to one world the sources of power, wealth, and knowledge, to another, all unutterable woes; such it is at this day; it is the law written by the finger of God on the heart of man; and by that law, unchangeable and eternal, while men despise fraud, and loathe rapine, and abhor blood, they shall reject, with indignation, the wild and guilty fantasy that man can hold property in man!’ This motion, however, was negatived; and here the subject rests for the present; but there is every reason to believe, that public opinion will finally force Parliament to adopt the measures, which it contemplated.

Our readers are all familiar with the events of the last few months. They all know that Mr. Brougham was returned, almost unanimously, to Parliament, from Yorkshire; they are informed of the rapid decline of the Duke of Wellington’s administration in popular favor, of the circumstances attending its final overthrow, and of the formation of a Whig Ministry with Earl Grey at its head; they know that Mr. Brougham is one of the new Ministers,—that he has been made Lord Chancellor of England and created a Peer, by the title of Lord Brougham and Vaux. Many doubt, whether the administration of Lord Grey will accomplish, or even attempt any very thorough reform; and the experience of all past time justifies the doubt. The instances of political tergiversation are too frequent in the history of parties not to occasion some apprehension. It has been said, that a mitre will make any man a high Churchman. In the soft seats of power men are apt to become lazy and indifferent to schemes, of which, when out of place, they have been zealous champions. But while these considerations move our fears, we are not without hope. For, in the first place, we look to the power of public opinion, —a mighty power, which no ruler or set of rulers can, now-a-days brave,—to keep them in the straight-forward path of duty. And, in the next place, they are pledged, in the face of the world, not, indeed, to any wild or revolutionary measures, but to a thorough purgation and reform in the existing system of things, and if they now hesitate, or falter, or go back, their shame and disgrace will be trumpeted forth so loudly, that even the settlers on the banks of the Missouri will hear of it. Whatever other Ministers may do, we cannot entertain a doubt,

that Lord Brougham will go straight on in his old course. The momentum he has acquired in it, is too great to allow him to stop if he would. Having already done so much, he must do more. And this, our confident expectation, is founded upon our knowledge of what he is and what are his deeds.*

Let us state the sum. His character has powerfully influenced the character of his age. His example of earnest, devoted, persevering labor to accomplish noble ends by noble means, has been long before the world. If we were called upon to name the man, who, in our opinion, has done more for the human race, we confess we should not know where to look. Franklin alone, in modern times, may be compared to him as an instance of what one man, animated by a noble and enlarged philanthropy, may accomplish for his fellow-men; and, in his great efforts for the diffusion of knowledge, he seems, constantly, to have held the example of Franklin in full view.

From his youth up, he has shunned no toil however severe. His whole life has been a life of intense labor, a series of great exertions. He has evinced on all occasions, a large and comprehensive benevolence; a sound and practical judgment; united with a genius of the loftiest and most universal character. We do not know that a single one of the numerous schemes of momentous importance, which he has originated, can be said to have finally failed. It may be added,—and it is a far nobler tribute to his character,—that there is not one of them all, which has not for its object, an improvement in the condition of some large portion of the community. Of the universality of his genius, the universality of his attainments furnishes sufficient evidence. He is one of the most profoundly scientific men of his day. Long and severe study has familiarized him with the teachings of the dead and of the living. He has succeeded, if we may so speak, in transfusing into himself the spirit of ancient literature; and no inconsiderable portion of the modern is his own work. He seems to know the history of past ages as if he had lived in them; and his published writings show how thoroughly he understands the condition of the present. He is a master of the English

* The reader will perceive that this paragraph was written before the British ministers had brought forward their plan of reform, which has, we doubt not, fully realized the expectations of our learned correspondent, and of the friends of freedom throughout the world.

law, the most complicated and difficult of all the sciences; a science, to ascend whose heights and fathom whose depths, demands strong powers strongly exerted. These are his attainments. The sum so far outgoes the ordinary reach, even in cases where no little talent is combined with no little industry, that we should suspect ourselves of over-statement, did we not find, that other writers with better opportunities, more than bear us out. The author of 'Attic Fragments,' who cannot be said to be over-partial to Mr. Brougham, says, that 'one would imagine that he had realized the ancient Scythian fable, by killing the foremost man in every department of knowledge, and possessing himself of all their intellectual inheritances.' It matters not what the subject is, however sublime or however commonplace, however abstruse or however practical. Brougham knows it, and knows it completely.

But what deserves our more especial notice and admiration is, not the splendor of his natural endowments, not the vast extent and rich variety of his acquisitions; but the use to which he has devoted them all. He has set them apart for the service of mankind. He has a title more glorious than kings can give or schools bestow,—a title conferred upon him by the unsolicited suffrage of the world. He is the advocate of human liberty. It cannot be said of him, as of Burke, that he

——— narrowed his mind,
And to party gave up what was meant for mankind.

No; what was meant for mankind, he has given to mankind. We have adverted to his exertions in behalf of the suffering slaves; but it is not in this poor sense alone that he deserves his glorious title. He would not emancipate the body only; he would set free the mind, and he would set it free by making it capable and worthy of freedom. His great principle seems to be, let an enslaved nation be enlightened, and there is no power on earth, that can detain it from freedom; let a free people be enlightened, and there is no power on earth that can reduce it to bondage. And therefore it is, that he has labored so earnestly to diffuse knowledge far and wide. The old Roman cry was, 'Give the people Tribunes, to guard their rights.' Mr. Brougham exclaims, give the people knowledge, and they will guard their rights for themselves. He said long ago, 'Tyrants may well tremble now, for the school

master is abroad.' And more than any man, he has aided in sending him abroad. He prepared the way in England, by his laborious investigations into the condition of the public charities; and, though those who fear the power of the schoolmaster have, as yet, by clamorous appeals to interest, and ignorance, and prejudice, greatly obstructed his efforts to induce Government to take a share in the glorious work of instructing the people, there is now no longer any reason to apprehend, that this part also of his great plan will not finally be adopted. In the meantime, as if he thought life not long enough to study in, he has recommended and promoted the establishment of infant schools, that instruction may begin with the very first developement of the capacity to receive it. At his suggestion, too, a society has been formed, which is as a schoolmaster, not only to England, but to France and to America. To him, likewise, may be referred the origin of most of those numerous associations, which, under different names, have for their common object self-instruction and mutual improvement. The united influence of all these agents is like that tree of the East, whose branches, after spreading on all sides, bend to the earth, and take root again and spread still further; yet again to take root at a still greater distance from the parent stem, and to spread yet wider still. Its effects are already visible in the increased demand for useful information, in the augmented, and augmenting number of new publications to satisfy that demand, and in the generally improved character of the periodical press. He would be a bold man who should venture to say when, or where, or by what boundary, the operation of this influence is to be circumscribed.

And all this Mr. Brougham has accomplished while yet in the vigor of life. What, then, may not be expected of him, should he be spared to the green old age of Franklin? Hitherto he has neither had official rank or official influence to aid him. Now he has both. And we cannot believe that he will do less, because he has power to do more. He has hitherto been an independent man. To secure his independence, he has labored hard in his profession. We cannot think that he will cease to be so; that he will approach the throne without carrying his principles along with him. It seems to us little less than absurd, to say of a man, whose hours, devoted to the advancement of the best interests of mankind, have been 'frequently stolen from needful rest,' that he will not devote

to the same great cause, the accidental influence of office; or that he, of whom we are told that 'he has hung over the lamp of study, till not all the bloom of life merely, but even the energy of life itself, seems on the very verge of extinction,' will now turn away from his glorious work, and so blast the splendid fame and the lofty self-approbation, for which he has made all this sacrifice. No; we find ourselves utterly unable to believe, that he has made such an oblation to the lust of power. And we look to see him laboring strenuously as heretofore, in the same great cause; and finding an abundant reward for his toils in the applause of his own heart and in the admiration and gratitude of mankind.

We would here conclude our remarks; for we have spoken of all the most prominent incidents of his life and of the public character of the *man*, if not as we would, yet as we could; but our readers will expect some account of the *orator*, and we are not willing to disappoint their expectations. Mr. Brougham's figure is said to be any thing but graceful. His features are almost harsh and repulsive; yet so strongly marked, that no man can see him, though but once, and go away under the impression that he has left an ordinary man. His action is not very elegant; but if we include under that name the whole of delivery, gesture, the tone of the voice and the expression of the countenance, then his power in this department is probably not inferior to that which is displayed in his reasoning and language. The action of his mind, and especially the tremendous talent of invective, by which he is eminently distinguished, have never been better or more forcibly described than by the author of the *Attic Fragments*. We shall make no apology, therefore, for laying an extract before our readers, and with it we shall conclude. It is taken from a description of Brougham's terrible attack upon Canning in the year 1823. The cause of the attack will be explained in the quotation. The two men are first exhibited in contrast.

'Canning chose his words for the sweetness of their sound, and arranged his periods for the melody of their cadence; while, with Brougham, the more hard and unmouthable the better. Canning arranged his words like one who could play skilfully upon that sweetest of all instruments, the human voice; Brougham proceeded like a master of every power of reasoning, and of the understanding. The figures and allusions of the one were always quadrable by the classical *formulae*; those of the other could be

squared only by the higher analysis of the mind ; and they soared and ran, and pealed and swelled on and on, till a single sentence was often a complete oration within itself ; but still, so clear was the logic, and so close the connexion, that every member carried the weight of all that went before, and opened the way for all that was to follow after. The style of Canning was like the convex mirror, which scatters every ray of light that falls upon it, and shines and sparkles in whatever position it is viewed. That of Brougham was like the concave speculum, scattering no indiscriminate radiance, but having its light concentrated into one intense and tremendous focus. Canning marched forward in a straight and clear track ; every paragraph was perfect in itself, and every coruscation of wit and genius was brilliant and delightful ; it was all felt, and it was felt at once ; Brougham twined round and round in a spiral, sweeping the contents of a vast circumference before him, and uniting and pouring them onward to the main point of attack. When he began, one was astonished at the wideness and obliquity of his course, nor was it possible to comprehend how he was to dispose of the vast and varied materials which he collected by the way ; but as the curve lessened, and the end appeared, it became obvious that all was to be efficient there.

‘ Such were the rival orators, who sat glancing hostility and defiance at each other during the early part of the session for 1823. Brougham, as if wishing to overthrow the Secretary by a sweeping accusation of having abandoned all principle for the sake of office ; and the Secretary ready to parry the charge, and attack in his turn. An opportunity at length offered ; and it is the more worthy of being recorded, as being the last terrible personal attack previous to that change in the measures of the cabinet, which, though it had begun from the moment that Canning, Robinson, and Huskisson came into office, was not at that time perceived, or at least admitted and appreciated. Upon that occasion, the oration of Brougham was, at the outset, disjointed and ragged, and apparently without aim or application. He careered over the whole annals of the world, and collected every instance in which genius had degraded itself, at the footstool of power, or principle had been sacrificed to the vanity or the lucre of place ; but still there was no allusion to Canning, and no connexion, that ordinary men could discover, with the business before the House. When, however, he had collected every material which suited his purpose, when the mass had become big and black, he bound it about and about with the cords of illustration and argument ; and when its union was secure, he swung it round and round with the strength of a giant and the rapidity of

a whirlwind, in order that its impetus and its effects might be the more tremendous; and while doing this, he ever and anon glared and pointed his finger to make the aim and the direction sure. Canning himself was the first that seemed to be aware where and how terrible was to be the collision; and he kept writhing his body in agony, and rolling his eyes in fear, as if anxious to find some shelter from the impending bolt. The House soon caught the impression, and every man in it was glancing fearfully, first toward the orator, and then towards the Secretary. There was, save the voice of Brougham, which growled in that under tone of muttered thunder which is so fearfully audible, and of which no speaker of the day was fully master but himself, a silence as if the angel of retribution had been flaring in the faces of all parties the scroll of their personal and political sins. A pen, which one of the secretaries dropped upon the matting, was heard in the remotest part of the House; and the *voting* members, who often slept in the side galleries during the debate, started up as though the final trump had been sounding them to give an account of their deeds. The stiffness of Brougham's figure had vanished; his features seemed concentrated almost to a point; he glanced toward every part of the House in succession; and sounding the death-knell of the Secretary's forbearance and prudence, with both his clenched hands upon the table, he hurled at him an accusation more dreadful in its gall, and more torturing in its effects, than ever had been hurled at mortal man within the same walls. The result was instantaneous,—was electric. It was as when the thunder-cloud descends upon some giant peak,—one flash,—one peal,—the sublimity vanished, and all that remained was a small and cold pattering of rain. Canning started to his feet, and was able to utter only the unguarded words, "It is false!" to which followed a dull chapter of apologies.'